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DE RUEHGB #4059/01 3030634

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FM AMEMBASSY BAGHDAD

TO RUCNRAQ/IRAQ COLLECTIVE

INFO RHEHWSR/WHITE HOUSE SITUATION ROOM WASHINGTON DC

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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 004059

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E.O. 12958: DECL: 10/29/2016

TAGS: PPREL PGOV I2

SUBJECT: KRG CONSTITUTION CHAIRMAN - PESHMERGA NEEDS ARMY WEAPONS

REF: BAGHDAD 3980

Classified By: Political Counselor Margaret Scobey for reasons 1.4 (b) and (d).

¶11. (U) This is a PRT Erbil cable.

¶12. (C) SUMMARY: Peshmerga with tanks and aircraft are necessary for KRG security, Farsat Ahmed (Secretary of the Kurdistan Regional Government (KRG) Kurdistan National Assembly (KNA), member of the Kurdistan Democratic Party (KDP), and Chair of the KNA Constitution Committee) told Erbil IPAO at his office October 18, 2006. Farsat accused Baghdad of belittling the historical role of the Peshmerga among Kurds and attempting to retain Arab control of Kurdistan, and he contended that Peshmerga status is the core constitutional issue, dealing with territory, security and defense, Kurdish national rights, and primacy of the Kurdish constitution.

END SUMMARY

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National and regional forces in the constitutions  
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¶13. (C) Farsat Ahmed, KNA Secretary and constitution committee head, spoke more about arming the KRG's Peshmerga than about constitutional democracy with Erbil IPAO October 18, 2006. Farsat participated in the MNF-I sponsored meeting at Khanzad Hotel (Erbil) October 8 - 10, 2006, held to reach agreement on a Memorandum of Understanding allowing transition to Provincial Iraqi Control (PIC) in the KRG, as a constitutional expert. The primary unresolved constitutional issue in that meeting was reconciling the Iraqi national constitution (ratified by the KRG) and the KRG draft constitution coverage of regional rights to armed forces. Farsat remained focused on this issue rather than larger legal, philosophical, and political constitutional questions.

¶14. (C). The Peshmerga armed force, whether called a 'regional guard' as in Iraq's national constitution or Peshmerga security forces as the KRG prefers, must protect the Kurdistan region against all 'evil and danger', Farsat said. Therefore, he

continued, "the weaponry for protection of the region should be different than for protection of a building" - referring to KRG complaints that the central government seeks to reduce the Peshmerga function to mere policing. Farsat commented that Baghdad wants 'Peshmerga police' because central authorities fear Peshmerga control over extensive areas outside the Green Line (defining the current area of the KRG), including Kirkuk, to which the draft KRG constitution lays claim.

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KNA approval for NIA deployment in KRG  
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15. (C) The KRG's insistence, enshrined in the draft constitution, on KRG president Massoud Barzani and KNA approval of any deployment of New Iraqi Army troops in the KRG derives from a history of oppression of the Kurdish people, Farsat said. The KNA must know which troops are entering, how many, and the purpose of the movement before the KRG will approve deployment. Responding to Erbil IPAO's comment that the NIA is not Baathist and Shia Arabs had not attacked the Kurdistan region, Farsat said attacks in previous decades continued despite changes in the army and there is no proof this will be different. He confirmed that the NIA has carried out no attacks on Kurds but said the fear continues.

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Trust versus arms  
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16. (C) Farsat said the central Iraqi government is afraid of future conflict with, and among, regions in Iraq; however, he stressed, the role of Peshmerga forces has always been clear and they will not attack others. He commented that if there were no fear among Kurds, there would be no need of protection - indicating that the Peshmerga's protective role is considered as much against Baghdad as against possible Iranian or Turkish incursions. Farsat said there are 'sensitivities' in both the KRG and in Baghdad concerning potential for armed conflict, and a lack of trust on both sides that will take time to heal.

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COMMENT  
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17. (C) Farsat Ahmed is serving a second term in the assembly, after a first term of twelve years. He is engaging and open, but takes a hard line and talks more about political issues in the constitution than larger or longer-term concerns. He is dedicated to independence, and his red lines on the constitution are based on creating the legal basis for separation at the expense of coordinating a constitutional framework with the federal government. END COMMENT

KHALILZAD